

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

David Magerman,

Plaintiff,

v.

Robert Mercer,

Defendant.

Civil Action No. 2:17-cv-3490

ORDER

Before the Court is the Defendant's Motion for Rule 11 Sanctions (Doc. ____).

Having considered the motion, the Plaintiff's Complaint (Doc. 1), and the full record before it, the Court FINDS that the Complaint:

1. Violates Rule 11(b)(1)'s ban on filing a complaint for "any improper purpose," including harassment; and
2. Violates Rule 11(b)(2)'s bar on frivolous legal claims and contentions; and

The Court FURTHER FINDS that the below-issued sanctions are necessary to "deter repetition of the conduct or comparable conduct." Fed. R. Civ. P. 11(c)(4).

It is hereby ORDERED that:

1. The Plaintiff's Complaint is DISMISSED WITH PREJUDICE.
2. The Plaintiff and his counsel shall pay the reasonable attorneys' fees and costs incurred by the Defendant in the case to date, including those incurred in establishing Defendant's entitlement to fees.
3. The Defendant shall submit his application for fees and costs by ____, 2017.

[DRAFT]

C. Darnell Jones, II
U.S. District Judge